

Applicant: Gianrico Scarton
Application No.: 10/579,853

REMARKS

The Applicant thanks the Examiner for the careful consideration of this application. Claims 1 and 14-23 are currently pending. Claim 1 has been amended. Claims 2-13 have been cancelled, without prejudice. New claims 14-23 have been added. Based on the foregoing amendments and the following remarks, the Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Second Request for Consideration of IDS Reference

The previous Office Action mailed August 5, 2009, returned the PTO/SB/08 submitted with Applicant's Information Disclosure Statement (IDS) of March 16, 2007 with a line through Cite No. BF (Italian Patent Application No. TO2002A000428), indicating that Cite No. BF had not been considered. The Examiner indicated "no English translation" on the PTO/SB/08.

The Applicant again directs the Examiner's attention to the application as filed, at page 6, lines 5-11, where a concise explanation of the relevance of Cite No. BF is provided.

Accordingly, the Applicant submits that Cite No. BF should have been considered pursuant to 37 C.F.R. §1.98(a)(3)(i).

In view of the foregoing, the Applicant again requests that the Examiner consider Cite No. BF on the PTO/SB/08 submitted with the IDS of March 16, 2007, and return a signed and initialed copy of the PTO/SB/08 to Applicant indicating that Cite No. BF has been considered.

Allowable Subject Matter

The Applicant appreciates the Office Action's indication of allowable subject matter in claims 9 and 10. Claim 1 has been amended to incorporate the subject matter of claim 9, and intervening claims 4, 6, 7, and 8, and accordingly, is now in condition for allowance.

In addition, new claims 14-23 have been added. Independent claim 14 combines the subject matter of previous claims 1, 4, 6, 8, and allowable claim 9. Claims 15-18 depend from claim 14. Independent claim 19 combines the subject matter of previous claims 1, 4, 6, and allowable claim 9. Independent claim 20 combines the subject matter of previous claims 1, 4, and allowable claim 9. Independent claim 21 combines the subject matter of previous claims 1, 8, and allowable claim 9. Independent claim 22 combines the subject matter of previous claim 1 and allowable claim 9. Independent claim 23 combines the subject matter of previous claim 1 and allowable claim 10.

In view of the foregoing, the Applicant submits that this application is now in condition for allowance.

Rejections under 35 U.S.C. § 102

The Office Action rejected claims 1, 2, 4-7, 11, and 12 under 35 U.S.C. § 102(b) as being anticipated by JP 2003-251595 to Minowa ("Minowa"). The Applicant traverses this rejection. Nevertheless, solely to further prosecution, claim 1 has been amended incorporate the subject matter of allowable claim 9, and intervening claims 4, 6, 7, and 8. Claims 2, 4-7, 11, and 12 have been cancelled, without prejudice. Accordingly, the Applicant submits that this rejection is now

moot.

Rejections under 35 U.S.C. § 103(a)

(1) The Office Action rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Minowa in view of U.S. Patent Application Publication No. 2003/0156877 to Tischer. The Applicant traverses this rejection. Nevertheless, claim 3 has been cancelled solely to further prosecution. Accordingly, this rejection is now moot.

(2) The Office Action rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Minowa in view of U.S. Reissue Patent No. 38,473 to Smolenski. The Applicant traverses this rejection. Nevertheless, claim 8 has been cancelled solely to further prosecution. Accordingly, this rejection is now moot.

(3) The Office Action rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Minowa in view of JP 9-226184 to Koshimizu. The Applicant traverses this rejection. Nevertheless, claim 13 has been cancelled solely to further prosecution. Accordingly, this rejection is now moot.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present

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• application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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